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ONTARIO

1974

Final Report

By

THE SELECT COMMITTEE

On



MOTORIZED SNOW VEHICLES
AND ALL-TERRAIN VEHICLES


TABLED IN THE LEGISLATIVE ASSEMBLY

BY

ALEX CARRUTHERS, M.P.P.

CHAIRMAN

MARCH 1974



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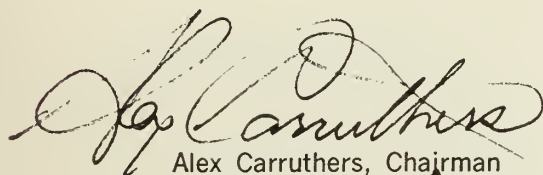
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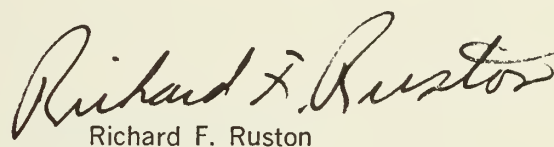
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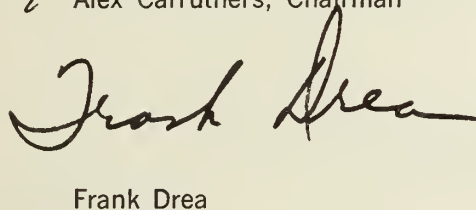
TO: The Honourable Allen E. Reuter,
Speaker of the Legislative Assembly of the Province of Ontario.

Sir:

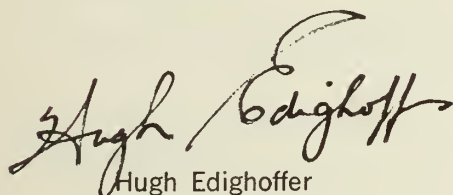
We, the undersigned members of the Select Committee on Motorized Snow Vehicles and All-Terrain Vehicles appointed by the Legislative Assembly of the Province of Ontario on June 30, 1972 to enquire into and report on all matters concerning snowmobiles and all-terrain vehicles, respectfully submit this final report.


Alex Carruthers, Chairman

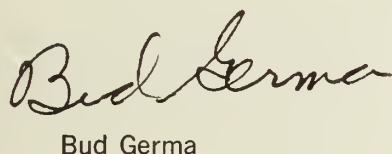

Richard F. Ruston



Frank Drea

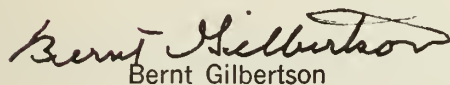

Jack E. Stokes

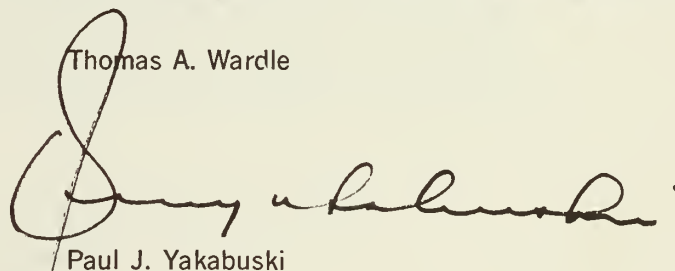

Hugh Edighoffer


James A. Taylor


Bud Germa


Thomas A. Wardle


Bernt Gilbertson


Paul J. Yakabuski


George Nixon

Committee Appointment and Terms of Reference

On Friday, June 30, 1972, at 10:00 o'clock A.M., in the Legislative Assembly of Ontario, 2nd Session, 29th Parliament, on motion by the Honourable Gordon R. Carton, Q.C., Minister of Transportation and Communications, and Seconded by the Honourable Dalton A. Bales, Q.C., Attorney General of the Province of Ontario, it was Ordered, that a Select Committee of the Legislature be appointed to enquire into and report on all matters relating to the operation of motorized snow vehicles and all-terrain vehicles, and having particular reference to:

1. the safety of the operator, including his qualifications and equipment, and of passengers carried on or towed by the vehicle;
2. safety in respect of the vehicle equipment;
3. operation of the vehicle on public roads and in other public areas;
4. control of trespass;
5. the effectiveness of existing legislation and regulations;
6. identification of vehicle ownership and of operators with regard to operation on public and private property;
7. environmental considerations including noise.

The Committee shall make such recommendations as it deems advisable on the basis of its investigations.

And that the Select Committee have authority to sit during recesses and the interval between Sessions and have full power and authority to employ counsel and such other personnel as may be deemed advisable and to call for persons, papers and things and to examine witnesses under oath, and the Assembly doth command and compel attendance before the said Select Committee of such persons and things as the Committee may deem necessary for any of its proceedings and deliberations, for which purpose the Honourable the Speaker may issue his warrant or warrants.

And that the said Committee be composed of eleven Members, as follows:—

Mr. Alex Carruthers, M.P.P. (Chairman) Durham
Mr. Frank Drea, M.P.P. Scarborough Centre
Mr. Hugh Edighoffer, M.P.P. Perth
Mr. Bud Germa, M.P.P. Sudbury
Mr. Bernt Gilbertson, M.P.P. Algoma
Mr. George Nixon, M.P.P. Dovercourt
Mr. Richard F. Ruston, M.P.P. Essex-Kent
Mr. Jack E. Stokes, M.P.P., Thunder Bay
Mr. James A. Taylor, M.P.P. Prince Edward-Lennox
Mr. Thomas A. Wardle, M.P.P. Beaches-Woodbine
Mr. Paul J. Yakabuski, M.P.P. Renfrew South

Other Appointments

The Clerk of the Legislative Assembly appointed Mr. Andrew Richardson as Clerk of the Committee. Mr. Bruno Diesner, M.A., Mr. Paul Moore, B.A., and Mr. Chris Renaud, B.A., were assigned to carry out research, Miss Cleo McElroy and Miss Sandy Davidson were appointed to secretarial duties.

In addition, the following employees of the Province of Ontario were assigned as consultants:

Mr. K.A. Sands, Director, Vehicle Branch, Ministry of Transportation and Communications.

Mr. S. McAuley, Solicitor, Office of the Senior Crown Counsel, Ministry of the Attorney General.

Foreword

The Committee decided that public hearings would be held throughout the Province of Ontario to provide maximum participation by the public in its study. It was also felt that this procedure would give the Committee Members the opportunity of hearing views on the subjects under study as they pertained to particular geographical regions as well as to the entire Province.

To focus maximum public attention on the hearings, the Committee invited all interested in the subject to attend and participate. Special invitations were extended to direct interest groups such as clubs, environmental groups, municipalities and other government agencies, and law enforcement bodies.

Formal advertisements in daily and weekly newspapers preceded public hearings. Radio and TV also carried notices of these hearings as news or public affairs programs. A list of the places and dates of these hearings is included as Appendix "A" while a list of briefs, oral and written, is included as Appendix "B".

Besides views on the recreational use of off-road vehicles, the Committee heard presentations outlining the utility of such machines in law enforcement, maintenance and commercial operations, in emergency conditions and as a means of transportation for people.

The Committee wishes to extend its thanks to the staff for their dedication and hard work in this study; to the research staff for their response and resourcefulness in compiling data on such a complex matter; to the solicitor, and to the consultants from the Ministry of Transportation and Communications, for their invaluable help in legislative and data matters; to the clerical staff for their efficiency, and in particular, to the Clerk for his work in organizing public hearings as well as arranging for maximum public participation. This Final Report is a measure of their contributions to the public service.

Definitions

FOR THE PURPOSES OF THIS REPORT

- a) "an off-road vehicle" means a vehicle deriving its motive power from a source other than muscle or wind capable of travel on or immediately over land, water, snow, ice, marsh, swampland or other terrain without benefit of a highway (as defined in The Highway Traffic Act (R.S.O. 1970) or other prepared surface. It does not include a farm vehicle being used for farming, a vehicle used for military or law enforcement purposes, construction, mining, forestry or other industrial related vehicles used in performance of its common function, or a motorized snow vehicle as defined by The Motorized Snow Vehicles Act.
- b) "an air cushion vehicle" is a vehicle designed to derive support in the atmosphere primarily from reactions against the ground, water, or other surface beneath the vehicle by means of air expelled from the machine.

PART I

a) THE OFF-ROAD VEHICLES ACT

The rapid growth in numbers and use of off-road vehicles and their increasing impact upon many aspects of the public interest are matters of prime concern to this Select Committee, to the Ontario Legislature, and to the people of the Province of Ontario. During the course of public hearings into all matters concerning off-road vehicles, the Committee evidenced the conflict between those who used these machines and those who did not. We feel this antagonism can be alleviated.

At the present time, off-road vehicles are mentioned in almost a dozen pieces of legislation*; the Committee feels that this is a piecemeal attitude to a serious problem and that the entire situation should be clarified in the interest of the people of Ontario.

Therefore, the Committee wishes to recommend the regulation of the use of off-road vehicles on lands used by the public for the safety of the user, for the protection and privacy of the non-user and the property owner, for the protection of the natural resources and the environment of the Province of Ontario, and for the orderly growth of the use and development of this new form of recreation.

The Committee therefore recommends:

1. That there be new legislation enacted entitled The Off-Road Vehicles Act.
2. That the proposed Off-Road Vehicles Act be based on, but not limited to the recommendations contained in this report.

b) REGISTRATION and LICENCES

Many briefs and petitions were submitted to the Committee complaining of the difficulty, if not impossibility, of identifying an off-road vehicle operator when he was improperly using his machine off the road. The conviction of irresponsible and destructive operators under The Petty Trespass Act (R.S.O. 1970 c. 347) in particular is, in this light, severely hampered by the obvious lack of distinct identification of an off-road vehicle and/or its operator. Retrieval of stolen vehicles is nearly impossible because of the absence of any registration.

The Committee is of the opinion that this lack of distinct identification is detrimental to the interests of the people of Ontario and to the off-road vehicle industries as well. For this reason, we believe that all off-road vehicles should be registered and be issued identification plates. For simplicity and efficiency, registration should take place at the time of sale, and identification plates issued by the Ministry of Transportation and Communications.

Some vehicles defined as off-road vehicles are issued licence plates for road use under the provisions of The Highway Traffic Act. But the general consensus of the Committee is that the present motor vehicle licence and registration is inadequate for any off-road vehicle when used off the road, and tends instead to complicate the issue. In the interest of the Ministry of Transportation and Communications in particular, the Committee suggests that a dual-purpose identification plate of a distinct

* Refer to Appendix D.

colour be issued to those off-road vehicles which are eligible for both on and off road use. The Committee is also of the opinion that a differently coloured identification plate should be issued to off-road vehicles that are not allowed on the road. These two new identification plates would aptly identify an off-road vehicle as registered for both on and off-road use, and for off-road use only.

One of the off-road vehicle user's main problems is the unavailability of organized off-road vehicle use areas. The main non-user complaints concern trespass on private property and incompatibility with other activities on public property. The Committee believes that it reflects the opinion of most user and non-user groups in urging that the Government of Ontario be more active in providing leadership in the encouragement and development of off-road vehicle use areas in the Province.

The Committee suggests that a fee be levied for identification plates and registration certificate for all vehicles which use, in part or in whole, off-road facilities. This would mean that the recommended dual-purpose identification plate would cost more than the present motor vehicle licence plate, which is mandatory for those vehicles which can be used on the road.

The Committee is of the opinion that this registration and identification plate fee should be effective for one year. It should be timed with the issuing of motor vehicle licence plates. This would ensure that the owner would be covered for the entire year by the payment of one fee.

(1) Registration of the Off-Road Vehicle

The Committee therefore recommends:

3. That all off-road vehicles be registered at the time of sale and be issued identification plates by the Ministry

of Transportation and Communications according to the provisions of the recommended Off-Road Vehicles Act.

4. That the Ministry of Transportation and Communications issue dual-purpose identification plates for off-road vehicles designated for both on and off road use.
5. That the Ministry of Transportation and Communications issue identification plates of a different colour for off-road vehicles which can be operated solely off the road.
6. a) That the fee for a dual-purpose identification plate be set \$8.00 higher than the current fee for a motor vehicle licence plate.
b) That the fee for an identification plate for off-road vehicles which will be operated solely off the road be set at \$8.00.
7. That the effective dates for the annual registration fee be the same as those dates currently set for motor vehicle licence plates.
8. That all out of province off-road vehicles must obtain an annual permit for their off-road use in Ontario prior to their operation on public land in the Province. The annual user fee shall be \$8.00.
9. That the fee for the transfer of ownership of a used off-road vehicle shall be \$1.00.
10. That within 15 days after transfer of ownership, or the destruction or abandonment of any off-road vehicle, other than abandonment on the private property of the vehicle owner, written notice shall be given to the Ministry of Transportation and Communications in such form as it shall prescribe. A penalty of \$50.00 shall be imposed upon the owner for failure to give such notice.
11. That the fee for the replacement of an off-road vehicle identification plate shall be \$2.00.

12. That the fee for the replacement of an off-road vehicle registration certificate shall be \$1.00.
13. That any person who fails to properly register his off-road vehicle shall be liable to a fine of not less than \$20.00 and not more than \$100.00.
14. That any person, who
 - (a) defaces or alters any off-road vehicle identification plate issued by the Ministry of Transportation and Communications,
 - (b) uses or permits the use of a defaced or altered identification plate issued by the Ministry of Transportation and Communications,
 - (c) uses or permits the use of an identification plate on a vehicle other than that off-road vehicle for which the identification plate was issued by the Ministry of Transportation and Communications,
 - (d) without the authority of the owner, removes an identification plate from an off-road vehicle, is guilty of an offense and on summary conviction is liable to a fine of not less than \$25.00 and not more than \$200.00, or to imprisonment for not more than 30 days, or to both, and in addition his licence or permit may be suspended for not more than three months.
15. That any operator of an off-road vehicle who fails to keep the vehicle's identification plate free from dirt and any obstruction, and so affixed that the identification plate is visible at all times is guilty of an offense and on summary conviction, is liable to a fine of not less than \$5.00 and not more than \$10.00

(2) Licences for ORV Operators

16. That a driver's licence shall be required for the operation of an off-road vehicle on lands used by the public.

17. That any person who does not have a driver's licence but who is 14 years of age or older may, on completion of a special competency test, be issued a permit to operate any off-road vehicle in public land areas.
18. That every operator of an off-road vehicle shall carry his driver's licence or permit with him at all times while he is in charge of such vehicle in public land areas, and shall produce it when demanded by a law enforcement officer.
19. That every person who is unable or refuses to produce his licence in accordance with Recommendation 18 shall, when requested by a law enforcement officer, give reasonable identification of himself and, for the purpose of this Recommendation, the correct name and address of such person shall be deemed to be reasonable identification.
20. That any person who operates an off-road vehicle on lands used by the public and who is not a holder of a driver's licence or permit is guilty of an offense and on summary conviction is liable to a fine of not less than \$20.00 and not more than \$200.00.
21. That no person shall operate or allow another person to operate an off-road vehicle on lands used by the public unless such vehicle is insured under an existing motor vehicle liability policy in accordance with The Insurance Act (R.S.O. 1970).
22. That the owner of an off-road vehicle who drives or permits the driving of the off-road vehicle on lands used by the public shall, upon the request of a law enforcement officer, produce evidence that such off-road vehicle is insured under a motor vehicle liability policy in accordance with The Insurance Act.
23. That every operator of an off-road vehicle who fails to produce evidence under Recommendation No. 22 when requested

to do so or within a reasonable time of such request, is guilty of an offense and on summary conviction is liable to a fine of not less than \$50.00 and not more than \$200.00.

24. That every operator of an off-road vehicle who produces false evidence when he is required to produce evidence under Recommendation No. 22 is guilty of an offense and on summary conviction is liable to a fine of not less than \$50.00 and not more than \$200.00.
25. That every person who contravenes any of the provisions of this recommended Off-Road Vehicles Act is guilty of an offense and on summary conviction, where a penalty for the contravention is not otherwise provided for herein, is liable to a fine of not less than \$20.00 and not more than \$200.00.

(c) Use Areas

The main complaint from non-users of motorized recreational vehicles concerns the machine's incompatibility with other activities. The Committee feels that it mirrors public opinion in urging the Government of the Province of Ontario, in consultation with appropriate municipal bodies, to help co-ordinate and establish use areas for off-road recreational vehicle users.

The Committee is of the opinion that there should be a liaison between the Ministry of Natural Resources, the Ministry of the Environment, the Ministry of Transportation and Communications, and provincial land governing agencies regarding off-road vehicle use areas. A relationship with the Ministry of Industry and Tourism and with the recreation branch of the Ministry of Community and Social services may also prove beneficial.

The Committee further believes that these same provincial groups consult with appropriate municipal bodies, and that these

municipal bodies play a significant role in the development and enforcement of policy regarding off-road vehicle use areas.

The Members of the Committee believe that the province and the municipalities should work together to provide off-road use areas, and that technical criteria to determine non-use areas should be clearly and decisively established and enforced by the Province of Ontario and/or the municipalities involved.

The Committee therefore recommends:

26. That the Ministry of Natural Resources, assisted by the Ministry of the Environment, co-operate with land governing agencies and consult with municipal bodies to designate land use areas for off-road vehicles.
27. That these criteria define areas where off-road vehicle use will not be allowed —
 - (a) Areas where damage occurs that cannot be feasibly rehabilitated
 - (b) Areas where soils are classified highly susceptible to erosion
 - (c) Designated wilderness areas, wildlife areas, and specified scientific or natural areas
 - (d) Areas where off-road vehicle use is not compatible with management of rare and endangered wildlife and of plants species
 - (e) Designated trails or recreational areas where the type of environment needed is incompatible with off-road vehicle use (e.g. open space and scenic trips along wild rivers)
 - (f) Areas where operational pits, quarries, shafts and other excavations present hazards to recreation use
 - (g) Explosive storage sites, or areas contaminated by military operation
 - (h) Areas adjacent to existing camp and picnic grounds or other

appropriate recreational developments

- (i) Any public lands encumbered by non-compatible prior and existing rights (e.g. trap lines during their seasonal use).

- 28. That multi-purpose use areas be encouraged wherever possible.

(d) Operation

The Committee realizes that off-road vehicles operate to a major extent outside of the scope of The Highway Traffic Act. We are of the opinion that if legislation and regulations which govern the operation of motor vehicles were applied to the greatest extent possible to off-road vehicles in public land use areas designated for their use, accidents would be kept to a minimum.

The Members of the Committee have already recommended that public land use areas be established for off-road vehicles. In conjunction with the establishing of these public land use areas, regulations governing the orderly operation of off-road vehicles should also be set down. These regulations should take into consideration the safety and welfare of the operator, other operators, pedestrians and other persons, as well as the preservation of the environment.

(1) General

The Committee therefore recommends:

- 29. That no person shall operate an off-road vehicle, or permit an off-road vehicle to be operated
 - (a) without due attention and care,
 - (b) without consideration for other persons and property.
- 30. That an off-road vehicle operator shall at all times yield the right-of-way to pedestrians, to domestic or other

animals, and take all prudent steps to ensure that his vehicle is under maximum control regardless of conditions.

- 31. That no person shall operate an off-road vehicle in such a manner as to drive, harass, chase, run over, injure or kill any animal or bird.
- 32. That municipalities and provincial and other public land governing agencies shall have the right to designate, restrict and prohibit areas for the operation of off-road vehicles.
- 33. That no person shall operate an off-road vehicle, or cause an off-road vehicle to be operated on private property without the prior written consent of the owner, lessee or occupant thereof.
- 34. That it be the responsibility of the Crown to investigate trespass complaints made by the owner or occupier of private property, and to initiate and carry out prosecutions for trespass.
- 35. That no person shall carry a firearm on an off-road vehicle unless the firearm is unloaded and contained in a carrying case. The requirement of having the firearm in a carrying case shall not apply to a licenced trapper while engaged in a trap line activity.
- 36. That at the point of sale, the vendor of an off-road vehicle shall take reasonable steps to ensure that the buyer is familiar with the operation of the purchased vehicle.
- 37. That it be forbidden to throw or deposit on or beside any off-road vehicle use area, waste or refuse of any sort liable to injure a person or animal, damage a vehicle, or spoil the environment.
- 38. That where written permission is given by the owner or occupier of private property to a person to operate an off-road vehicle on such lands, then such owner or occupier shall not be civilly liable for damages or injuries suffered by the off-road vehicle operator except such damages or injuries suffered

by reason of the willful or malicious conduct of such owner or occupier, and except where the owner or occupier charges a fee for use of the land for recreational purposes.

39. That a standard form be prepared whereby permission could be granted by an owner or occupier of lands to off-road vehicle operators which would absolve the owner or occupier of the land from his common law liability as the owner or occupier of the premises, except where the owner or occupier of land is guilty of willful or malicious conduct; the standard form would clearly state that the user of the said off-road vehicle is not absolved from his common law liability for damages or injuries sustained by the owner or occupier.
40. That the owner and operator of an off-road vehicle be jointly and severally liable for any loss or damage to persons or property resulting from the operation of that off-road vehicle, except where the operator of the off-road vehicle is using same without the written permission of the owner.
41. That no person shall operate an off-road vehicle on any road
 - (a) except those vehicles licenced for road use by the Ministry of Transportation and Communications,
 - (b) except to cross a road at an angle of 90 degrees to the direction of the roadway; these roads shall be prescribed by regulation.
42. That it be publicized throughout the Province of Ontario that the provisions of the Criminal Code (R.S.C. 1970 c.(34)) and of The Liquor Control Act (R.S.O. 1970, c.249) respecting possession, use and transportation of alcohol or drugs, driving offenses, search and seizure of the vehicle and search, arrest, or summons of the operator already apply by law to the operation of an off-road vehicle.
- (2) **Accidents and Accident Reporting**
43. (a) That when an accident involving more than one person or machine occurs the operator or other person in charge of an off-road vehicle that was directly or indirectly involved in the accident,
 - (i) shall remain at or immediately return to the scene of the accident,
 - (ii) shall render all reasonable assistance, and
 - (iii) shall produce in writing to anyone sustaining loss or injury and to any peace officer and to a witness
 - (1) his name and address,
 - (2) the name and address of the registered owner of the off-road vehicle, and
 - (3) the registration number of the off-road vehicle, or such other information as is requested.
- (b) That the driver of an off-road vehicle that collides with an unattended vehicle, whether an off-road vehicle or not, shall stop and
 - (i) shall locate and notify the person in charge or owner of the unattended vehicle of the name and address of the driver and the registration number of the off-road vehicle striking the unattended vehicle, or
- (c) That the driver of an off-road vehicle involved in an accident resulting in damage to any property other than that referred to in subsections (a) and (b), shall take reasonable steps to locate and notify the owner or person in charge of the property of such fact and of the name and address of the driver and owner and the registration number of the off-road vehicle.
44. (a) That subject to subsection (b), where an accident results in injury or death to a person or in property damage to an apparent extent of \$100 or more, the operator or person in charge of an off-road vehicle involved in the accident shall forthwith make a

written report in the form provided by the Registrar and containing such information as may be required thereby, to a peace officer having jurisdiction where the accident occurred.

- (b) That where the operator is incapable of making the report required by subsection (a) and there is another occupant of the off-road vehicle or vehicles involved capable of making the report, such occupant shall make the report required to be made by the operator.
- (c) That where no report has been made under subsection (a) or (b) and neither the operator nor any passenger is the owner of the off-road vehicle, the owner shall forthwith after learning of the accident make the report.
- (d) That where the operator is alone, is the owner and is incapable of making the report required by subsection (a), he shall make the report forthwith after becoming capable of making it.
- (e) That notwithstanding anything contained in this section, accidents resulting from participation in an organized race meet for which an entry fee is charged need not be reported to the Minister.

(3) Safety of the Operator and Machine

- 45. That the Province of Ontario strongly encourage both operators and passengers of off-road vehicles to wear an approved helmet and some form of eye protection (e.g. goggles, face mask) made of impact resistant material, while using these machines.
- 46. That the Province of Ontario strongly encourage both operators and passengers of off-road vehicles to wear clothing of a bright and distinct colour while using their machines.
- 47. That towing behind an off-road vehicle be prohibited.
- 48. That no person should wear any piece of clothing or accessory in such a manner that it may be caught by the mechanism of the off-road vehicle, by

tree branches, or by other obstructions of a like nature.

- 49. That every off-road vehicle shall have in use a white or amber light at the front, and a red light at the rear of the vehicle at all times while being operated after sunset and before sunrise, or when inclement weather conditions impede normal visibility.
- 50. That the Province of Ontario encourage operators of off-road vehicles to use lights at all times, regardless of visibility.
- 51. That all off-road vehicles be equipped with a properly working muffler in accordance with subsection 1 of Section 49 of The Highway Traffic Act (R.S.O. 1970, c. 202). This muffler shall be of a type that will prevent sparks from being emitted so as to avoid fires. Off-road vehicles when used in competitive racing in sanctioned racing areas shall be exempt from this requirement.
- 52. That every off-road vehicle be equipped with a braking system which is capable of overpowering the maximum installed horsepower of the motor of that vehicle.
- 53. That the Province of Ontario take steps to minimize dangers involved in the operation in public land areas of off-road vehicles which are modified after purchase and registration, and/or which are home-made.

(4) Recommendations to Federal Authorities

- 54. That the Federal government be urged to require that manufacturers install a rear view mirror on all newly manufactured off-road vehicles.
- 55. That the Federal government set standards to alleviate excessive and undesirable noise made by off-road vehicles.
- 56. That the Federal government set standards for brakes on off-road vehicles.
- 57. That the Federal government set minimum standards at the manufacturing level for equipment and safety features on off-road vehicles.

PART II

Air Cushion Vehicles

This section of this Final Report applies only to air cushion vehicles and other machines which may be introduced as recreational vehicles in the near future. Although novel application of present technology can be beneficial to the people of Ontario, the Committee is of the opinion that these machines merit special consideration.

During the course of its deliberations, the Committee viewed both a large commercially-applied air cushion vehicle and various models of small recreational hovercraft. The basic impression these machines made on the Committee was one of instability. The Members feel that these vehicles, which have already been banned from the road, should be generally banned off the road as well, as they constitute a threat and a nuisance to the safety and privacy of the people of Ontario.

The Committee therefore recommends:

58. That there be new legislation enacted entitled The Air Cushion Vehicles Act.
59. That prior to its operation in any area under the jurisdiction of the Province of Ontario, every air cushion vehicle must be inspected by the Ministry of Transportation and Communications.

The Ministry of Transportation and Communications will set operation standards for air cushion vehicles to cover

- (i) equipment and safety of the machine,
- (ii) qualification of the operator.

60. That if an air cushion vehicle is approved by the Ministry of Transportation and Communications, and still prior to its use in any area under the jurisdiction of the Province of Ontario, and other land governing agencies, the owner of the said vehicle shall apply to the Ministry of Natural Resources for a use permit. The Ministry of Natural Resources, in consultation with the Ministry of the Environment, with other Ministries, with related agencies, and with the relevant municipality, may issue a use permit as it sees fit to allow air cushion vehicles to be operated in designated use areas.
61. That the Ontario Highway Transport Board and the Canadian Transport Commission negotiate an agreement for the regulation of the commercial use of air cushion vehicles.
62. That the Federal government be strongly urged to enact similar standards and use permits to regulate the operation of non-commercial air cushion vehicles on navigable waters.

PART III

Addenda to Interim Report on Snowmobiles

In its Interim Report dealing with motorized snow vehicles, the Committee stated that it was not satisfied with the available information on

- (a) the effect of the motorized snow vehicle on the environment,
- (b) safety standards at competitive motorized snow vehicle racing events,
- (c) snowmobile insurance,
- (d) warranty, service and recall.

The Members wrote that there was a need for further study in these areas before relevant recommendations could be made.

The Committee is of the opinion that no new conclusive evidence regarding the effect of the motorized snow vehicle on the environment has been produced. We also believe that warranty, service and recall problems are included in the present study of warranties by the Ministry of Consumer and Commercial Relations.

To promote the safety of snowmobiling in Ontario, the Committee wishes to make significant changes to its recommendations in the Interim Report of May, 1973.

The Committee recommends:

1. That by July 1, 1974, no person shall operate a motorized snow vehicle on the plowed or serviced portion of any highway, except as provided for in the enumerated exemptions of Recommendation No. 1 of the Interim Report.
2. That face shields and windshields be made of material that is impact resistant to prevent injury to the wearer in the case of an accident.
3. That where written permission is given by the owner or occupier of private property to a person to operate a motorized snow vehicle on such lands, then such landowner or occupier shall not be civilly liable for damages or injuries suffered by the motorized snow vehicle operator and/or passengers except such damage or injuries suffered by reason of the willful or malicious conduct of such landowner or occupier, and except where the landowner or occupier charges a fee for use of the land for recreational purposes.
4. That Section 9a of The Motorized Snow Vehicles Act (R.S.O. 1968) be amended by deleting the word "collision" and inserting the word "accident"
5. That section 9 of The Motorized Snow Vehicles Act (R.S.O. 1968) be amended by adding the phrase "or land used by the public" after every mention of the word "highway".
6. That the definition of a motorized snow vehicle in The Motorized Snow Vehicles Act (R.S.O. 1968) be amended by deleting the word "exclusively" and inserting the word "primarily".
7. That the Superintendent of Insurance of the Province of Ontario undertake a review of duplicate No Fault Coverage as it pertains to snowmobiles and automobiles, and study the possibility of a special insurance policy to cover snowmobiles and off-road vehicles including air cushion vehicles. This special policy would, if possible, be distinct from an automotive policy.
8. That the Ministry of Transportation and Communications look into safety standards for both participants and spectators at snowmobile and off-road vehicle competitive racing events.

Appendix “A”

- Meetings & hearings of Committee
Phase II

Appendix “B”

- Oral Briefs
 - Written Briefs
- } Phase I

Appendix “C”

- Oral Briefs
 - Written Briefs
 - Acknowledgements
- } Phase II

Appendix “D”

- Legislation re ORVS

APPENDIX "A"

Meetings and Hearings of the Committee

Date	Place	Date	Place
1973		1974	
June 25	Toronto	January 8-10	Toronto
June 27	Toronto	January 15-17	Toronto
July 4-5	Toronto	January 22-24	Toronto
July 25	Edmonton, Alta.	January 29-31	Toronto
July 26-27	Inuvik, N.W.T.	February 6-7	Toronto
August 1	Scarborough	February 12-14	Toronto
August 2	Toronto	February 19-21	Toronto
August 8	Toronto	February 26-28	Toronto
August 22-23	Port Hope	March 4	Toronto
August 28	Hamilton		
August 29-30	Toronto		
Sept. 5-7	East Lansing, Mich.		
Sept. 19-20	Toronto		
Sept. 26-27	Toronto		
December 19	Toronto		

APPENDIX “B”

Oral Briefs – Phase I

ACTONBERG, Mr. C., and BUCHOLTZ, Mr. G., Pembroke, Ont.
ARNPRIOR AND DISTRICT SNOWMOBILE CLUB, Arnprior, Ont.
AVIS, Mr. A., Mayor, Town of Fort Frances, Fort Frances, Ont.

BELMONT AND DISTRICT NIGHT OWLS SNOWMOBILE CLUB, Belmont, Ont.
BERGER, Mr. W., President, SNOWMOBILING UNLIMITED, Don Mills, Ont.
BLUE MOUNTAIN SNOWMOBILE CLUB, Lansdowne, Ont.
BOARDER RIDERS 24 SOO, ONT. SNOWMOBILE CLUB, Sault Ste. Marie, Ont.
BOROUGH OF YORK SAFETY COUNCIL, Toronto, Ont.
BUTLER, Professor R. W., University of Western Ontario, London, Ont.
BYTOWN MOTORCYCLE ASSOCIATION, Ottawa, Ont.

CAMDEN, Mr. J. O., ST. PAUL’S ONT.
CAMERON, Mr. G., Councillor, Town of Cornwall, Cornwall, Ont.
CANADA COUNCIL OF YOUNG DRIVERS
CANADIAN ENVIRONMENTAL LAW RESEARCH FOUNDATION, Toronto, Ont.
CANADIAN ENVIRONMENTAL LAW ASSOCIATION
CANADIAN MOTORCYCLE ASSOCIATION
CARDIFF SNO-SNOOPERS CLUB AND PAUDISH LAKE SNOWMOBILE CLUB
CARLETON REGIONAL SNOWMOBILE CLUB INC., Orleans, Ont.
CLINTON SNOWMOBILE CLUB, Clinton, Ont.
COATES, MR. W. E., Guelph, Ont.
COCHRANE POLAR BEAR SNOWMOBILERS CLUB, Cochrane, Ont.
COLLYER, Mr. M., North Bay, Ont.
COPPER CLIFF ROD and GUN CLUB, Copper Cliff, Ont.
CORNWALL CITY POLICE, Cornwall, Ont.
CORPORATION OF THE CITY OF SAULT STE. MARIE, Sault Ste. Marie, Ont.
CORPORATION OF THE TOWN OF THESSALON supported by POINTRIDERS
SNOWMOBILE CLUB and THESSALON CHAMBER OF COMMERCE, Thessalon, Ont.
CORPORATION OF THE TOWNSHIP OF MOUNTJOY, Timmins, Ont.
CORPORATION OF THE TOWNSHIP OF RED LAKE, Red Lake, Ont.
CORUNNA SNOWMOBILER ASSOCIATION, Corunna, Ont.
COUNCIL OF THE MUNICIPALITY OF THE TOWNSHIP OF DAY and BRIGHT ADDITIONAL,
Iron Bridge, Ont.
COUNCIL OF THE TOWNSHIP OF DENBIGH, ABINGER and ASHBY, Denbigh, Ont.
CRUMP, Mr. J. B., Toronto, Ont.

DALTON, Mr. Steven J. and Mrs. Donna J., London, Ont.
DARRAGH, Mrs. W., North Bay, Ont.
DAVIDSON, Mr. J. N., Mayor, Town of Kenora, Kenora, Ont.
DELHI TOWN POLICE, Delhi, Ont.
DERRY, Mr. Jon, Weston, Ont.
DESORONTO TRAIL BLAZERS and LONSDALE SNOWDRIFTERS, Deseronto, Ont.
DONALD WINDIGOS SNOWMOBILE CLUB

DRYDEN SNOWMOBILE CLUB, Dryden, Ont.
 DURHAM and DISTRICT SNOWMOBILE CLUB, Durham. Ont.
 EAID, Dr. Charles R. M., Sault Ste. Marie, Ont.
 ELLIOT, Mr. J., Renfrew, Ont.
 EMERY, Mr. R., Parry Sound, Ont.
 ESSEX COUNTY SNOWMOBILE CLUBS — Tecumseh Club, Stoney Point Club and Belle River Club
 FEDERATION OF ONTARIO NATURALISTS
 FLOYD, Mr. B., on behalf of FEDERATION OF ONTARIO COTTAGERS ASSOCIATION and CONSERVATION COUNCIL OF ONTARIO
 FOUCAULT, Mr. L., Mayor, Town of Espanola, Espanola, Ont.
 GAGNON, Mr. K., Simcoe, Ont.
 GHENT, Dr. William R., Queen's University, Kingston, Ont.
 GILPIN, Mr. J. R., Perth, Ont.
 GOLDEN ACRES SNOW RIDERS, St. Thomas, Ont.
 GOLDEN TRIANGLE SNOWDRIFTERS, Guelph, Ont.
 GULLY JUMPERS SNOWMOBILE CLUB, Port Dover, Ont.
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 HILL, Mr. N., Auburn, Ont.
 HILL and GULLY RIDERS, Port Sydney, Ont.
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 KAPUSKASING SNOW ROVERS CLUB, Kapuskasing, Ont.
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 KAWARTHA TOURIST ASSOCIATION, Mr. Ross Wiegand, Peterborough, Ont.
 KELLY, Dr., Sault Ste. Marie, Ont.
 KELLY, Mr. P., President, Grand Council of Treaty #3, Kenora, Ont.
 KINGSTON FIELD NATURALISTS, Kingston, Ont.
 KIRK, Mr. M., GREY-BRUCE POLLUTION PROBE, Owen Sound, Ont.
 KIRKLAND LAKE MOTORIZED TOBOGGAN CLUB, Kirkland Lake, Ont.
 KITCHENER-WATERLOO POLLUTION PROBE, University of Waterloo, Waterloo, Ont.
 KOLESNIKOVS, Mr. George, Editor and Publisher, Cycle Canada, Toronto, Ont.
 LAKEHEAD SNOW SURFERS SNOWMOBILE CLUB, Thunder Bay, Ont.
 LAMBETH DRIFTERS SNOWMOBILE CLUB, Lambeth, Ont.
 LONESOME RIDERS SNOWMOBILE CLUB, Belleville, Ont.
 MacDONALD, Miss L. and REYNOLDS, Mr. G., Goderich, Ont.
 MacKINNON, Mr. W. A., Chairman of Town Council, Dryden, Ont.
 MacMILLAN, Mrs. B., Stratford, Ont.

MARKHAM SNOWMOBILE CLUB, Markham, Ont.
 MATEAR, Mr. J. C., and HYRSKY, Mr. J., Sault Ste. Marie, Ont.
 McCORMACK, Mr. R., Director of Parks and Recreation, Thunder Bay, Ont.
 McFADDEN, Mr. J., University of Western Ontario, London, Ont.
 McGARVEY, Mr. J. A., Chatham, Ont.
 McINNIS, Constable J. B., O.P.P. Detachment, Atikokan, Ont., and ATIKOKAN SNO-HO
 SNOWMOBILE CLUB
 McKEE, Mr. Donald S., Goderich, Ont.
 MELESKIE, Mr. L. V., Renfrew, Ont.
 MESSENGER, Mr. K. C., North Bay, Ont.
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 MIKUS, J., Terrace Bay, Ont.
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 MINISTRY OF NATURAL RESOURCES, Fort Frances District
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 ONTARIO HYDRO —
 Campbell, Mr. H. O., Manager, Minden Area
 Ferguson, Mr. W. C., Regional Security Officer, Central Region
 ONTARIO PROVINCIAL POLICE, Toronto, Ont.
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Picton Detachment, Constable D. B. Watt
Sarnia Detachment, Corporal Beckner
Sault Ste. Marie Detachment, Constable R. M. Kolari
Schreiber Detachment, Constable Anderson
Sebringville Detachment, Corporal John Haveron
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PERTH FEDERATION OF AGRICULTURE, Stratford, Ont.

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ROUNTWAITE, Miss A., Pollution Probe, University of Western Ontario, London, Ont.

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WITTET, Mr. W., Member of Delhi Town Council, Delhi, Ont.
WOODS, Mrs. M., Port Sydney, Ont.

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BLACK, Mr. L., Brussels, Ont.
BLACK, Mr. M., New Lowell, Ont.
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 HANLEY, Mr. B., Flesherton, Ont.
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 McKILLICAN, Mr. D. R., Barrie, Ont.
 McRAE, Mr. W. R., Port Sydney, Ont.
 MERRIAM, Prof. H. G., Carleton University, Ottawa, Ont.
 MINISTRY OF NATURAL RESOURCES, Sioux Lookout District
 MITCHELL, Mr. & Mrs. T. G., Toronto, Ont.

MORIS, Mr. P., Frankford, Ont.
MULLER, Mr. W., Rodney, Ont.

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NORTHWESTERN ONTARIO TRAPPERS COUNCIL, Thunder Bay, Ont.

O'BRIEN, Mrs. E. M., Ottawa, Ont.
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PELHAM SNOWMOBILE CLUB
PICTON BAY SNOW RIDERS CLUB, Picton, Ont.
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RICHARDSON, Mr. R., Sudbury, Ont.
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RYAN, Mr. K. E., Sudbury, Ont.

SAWYERS, Mr. J. W., Ottawa, Ont.
SAUGEEN VALLEY CONSERVATION AUTHORITY
SAULT STE. MARIE GOLF CLUB, Sault Ste. Marie, Ont.
SCHICKLER, Mr. R., Harcourt, Ont.
SCHULDES, Mr. W. K. F., Ottawa, Ont.
SCHWANKE, Mr. D. H., Clandeboye, Manitoba
SHAVER, Mr. M. E., Ingleside, Ont.
SINCLAIR, Mr. C. W., Hepworth, Ont.
SMITH, Mr. M. J., Toronto, Ont.
SNIDER, Mr. W. M., Chatham, Ont.
SNO-FUEL ENTERPRISES, Sudbury, Ont.
SOUTHAMPTON SNOWMOBILE CLUB, Southampton, Ont.
SPENCE, Mr. A., Georgetown, Ont.
SPENCER, Mrs. M. W., Sudbury, Ont.
STANTON, Mr. J. M., Dryden, Ont.
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THOMAS, Mr. M., Bobcaygeon, Ont.
TORONTO FIELD NATURALISTS CLUB
TOUZEL, Mr. J., Perth, Ont.
TOWNSHIP OF WOLLASTON
TRAPPERS COUNCIL, Pointe au Baril, Ont.

VAN CAMP, Mr. C. E., Iroquois, Ont.

VANEYK, Mr. & Mrs. J., Bowmanville, Ont.
VOYAGEUR SNOWMOBILE CLUB, Richard's Landing, Ont.
WATTS, Mr. D., Inglewood, Ont.
WAWA SNOW RIDERS CLUB, Wawa, Ont.
WAYNE, Mr. & Mrs. P. S., Toronto, Ont.
WEBBER, Mr. R., Toronto, Ont.
WEST, Mr. E. A., Huntsville, Ont.
WOOD, Mr. G., Smiths Falls, Ont.
WORSLEY, Mr. W., Cameron, Ont.
YOUNG, Mr. B., Orangeville, Ont.

Petitions

BUCHOLTZ, Mr. G. E., Pembroke, Ont.
LEE, Mr. R., St. Catharines, Ont.
PAOLETTI, Mr. F., New Liskeard, Ont.
TIMISKAMING FISH AND GAME PROTECTIVE ASSOCIATION
UNITED ELECTRICAL RADIO AND MACHINE WORKERS OF AMERICA, Peterborough, Ont.

APPENDIX “C”

Oral Briefs – Phase II

ALGONQUIN WILDLANDS LEAGUE — Mr. Jack Goering, Port Hope, Ont.

BROWN, Mr. Stewart, Scarborough, Ont.

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY, Oshawa, Ont.

CITIZENS’ COMMITTEE FOR POLLUTION CONTROL (North Halton Forest)

— Mrs. M. Ortwein, Burlington, Ont.

FEDERATION OF ONTARIO NATURALISTS, Mr. Mike Singleton, Toronto, Ont.

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LEWIS, Mr. James, and Mr. Reg Boyce, Toronto Ont.

MIC PROMOTIONS INCORP., Mr. M. J. Austin, Toronto, Ont.

MONTEITH, Mr. F. J., Scarborough, Ont.

MOTORCYCLE INDUSTRY IMPORT COMMITTEE, Toronto, Ont.

— Mr. Downing, Mr. Fred Manley, Mr. John Smelko.

ONTARIO FEDERATION OF ANGLERS & HUNTERS, (Resolution),

— Mr. Gordon Blake, Richmond Hill, Ont.

PERRY, M.D., Robert J., Committee on Eye Safety & Visual Standards, OMA., Toronto, Ont.

STEEL CITY RIDERS MOTORCYCLE CLUB, Mr. Jim Kelly, Hamilton, Ont.

SUTHERLAND, Mrs. Betty and Miss Katie Hayhurst, Aldermen, North York Council

TRIP, Mr. Steven, Peterborough, Ont.

WELLAND COUNTY MOTORCYCLE CLUB INC., Mr. Wesley Pierce, Welland, Ont.

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ADAMS, Mrs. P., Woodbridge, Ont.

ALEXANDER, Mr. John S., Scarborough, Ont.

BEACH, Mr. Norman, St. Agatha, Ont. R.R. #1.

BYTOWN MOTORCYCLE ASSOCIATION (Inc.), Ottawa, Ont.

CITIZENS OF THE VILLAGE OF CHATSWORTH (Petition)

GAGNE, Mr. Ernie, Henmer, Ont.

GRAND VALLEY TRAILS ASSOCIATION —

— Mr. F. P. Schneider, and Mrs. Cross, Kitchener, Ont.

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LEIS, Mr. Wayne A., Shakespeare, Ont.

MUNICIPALITY OF THE TOWNSHIP OF CHAPLEAU. (Resolution)

OGLESTONE, Mr. Norman, Sudbury, Ont.
ONTARIO MUNICIPAL RECREATION ASSOCIATION (OMRA). (2 Resolutions)
— Ms. Pat Artkin, Executive Secretary, Toronto, Ont.

SCANLON, F. Wm., Schomberg, Ont.
SCHRAMM, Ursula, Weston, Ont.
STONE, Mr. Thurston E., Thunder Bay

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APPENDIX “D”

LEGISLATION RELATING TO THE USE AND CONTROL OF OFF-ROAD VEHICLES IN ONTARIO

1. The Criminal Code (Canada)
2. The Conservation Authorities Act R.S.O. 1970 c. 78
3. The Environmental Protection Act R.S.O. 1971 c. 86
4. The Game and Fish Act R.S.O. 1970 c. 186
5. The Highway Traffic Act R.S.O. 1970 c. 202
6. The Niagara Parks Act R.S.O. 1970 c. 298, R.R.O. 1970 Reg. 619
7. The Petty Trespass Act R.S.O. 1970 c. 347
8. The Provincial Parks Act R.S.O. 1970 c. 371, R.R.O. 1970 Reg. 696
9. The Public Lands Act R.S.O. 1970 c. 380
10. The St. Lawrence Parks Commission Act R.S.O. 1970 c. 447
11. The Wilderness Areas Act R.S.O. 1970 c. 498

